GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

HM & FW Department – Dr. M. Penchalaiah, CS(GL), CSRMO, 300 Bedded Super Speciality Hospital, Kadapa, the then DM&HO, SPSR Nellore District - Departmental Proceedings under rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 on certain allegations - Articles of charges – Orders – Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (VC.II.1) DEPARTMENT

G.O.RT.No. 115 Dated: 24-02-2025

Read the following:-

1. From the Director of public Health & Family Welfare, A.P., received through E-file.No.2678191.
2. From the Director, Public Health & Family Welfare, A.P., Lr.Rc.No.15448/VC-II-B/2024, dated:20.02.2025.

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O R D E R:

It is proposed to hold an enquiry against Dr. M. Penchalaiah, CS(GL), CSRMO, 300 Bedded Super Speciality Hospital, Kadapa, the then DM&HO, SPSR Nellore District in accordance with the procedure laid down under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The statement of articles of charges and the statement of imputations of misconduct and misbehavior in support of articles of charges, in respect of which the inquiry is proposed to be held, are set out in the enclosed Annexure-I & II. A list of documents by which and a list of witness by whom the articles of charges are proposed to be sustained are also enclosed in Annexure-III & IV.

3. Dr. M. Penchalaiah, CS(GL), CSRMO, 300 Bedded Super Speciality Hospital, Kadapa, the then DM&HO, SPSR Nellore District is directed to submit his written statement of defence within (15) days of the receipt of this order.

4. Dr. M. Penchalaiah, CS(GL), CSRMO, 300 Bedded Super Speciality Hospital, Kadapa, the then DM&HO, SPSR Nellore District is informed that an inquiry will be held only in respect of those articles of charge not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Dr. M. Penchalaiah, CS(GL), CSRMO, 300 Bedded Super Speciality Hospital, Kadapa, the then DM&HO, SPSR Nellore District is further informed that if he does not submit his Written Statement of Defence on or before the date specified in Para-3 above, further action will be processed based on the material available.

6. The attention of Dr. M. Penchalaiah, CS(GL), CSRMO, 300 Bedded Super Speciality Hospital, Kadapa, the then DM&HO, SPSR Nellore District is invited to rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. MANJULA D HOSMANI
SECRETARY TO GOVERNMENT

To
Dr. M. Penchalaiah, CS(GL), CSRMO, 300 Bedded Super Speciality Hospital, Kadapa, the then DM&HO, SPSR Nellore District (through the Director of Public Health & Family Welfare, A.P.)
The Director of Public Health & Family Welfare, A.P., Gollapudi, Vijayawada.
SF/SC. (E-file.No.2719245).

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE- I

ARTICLES OF CHARGE FRAMED AGAINST DR.M. PENCHALAIAH, CS(GL), CSRMO, 300 BEDDED SUPER SPECIALITY HOSPITAL, KADAPA, THE THEN DM&HO, SPSR NELLORE DISTRICT:

ARTICLE OF CHARGE – I

That, Dr. M. Penchalaiah, CS(GL), CSRMO, 300 Bedded Super Specialty Hospital, GGH, Kadapa, while working as DM&HO, Nellore Dist., has connived with Dr. Vamsi Krishna Suman, Medical Officer/DDO, PHC, Krishnapuram, Nellore District, in drawing pay and allowances of the above said Medical officer irregularly although the Medical Officer did not attend for duties for the period from 05-05-2022 to September 2024.

ARTICLE OF CHARGE – II

That, Dr. M. Penchalaiah, CS(GL), CSRMO, 300 Bedded Super Specialty Hospital, GGH, Kadapa, while working as DM&HO, Nellore Dist., issued orders sanctioning Regular Pay Scale from consolidated pay to Dr. D. Vamsi Krishna Suman, CAS, PHC, Krishnapuram, Nellore District vide Rc.No.880/E1/2024, Dated:19-03-2024 who is on unauthorized absence from 05-05-2022 to till date.

ARTICLE OF CHARGE – III

That, Dr. M. Penchalaiah, CS(GL), CSRMO, 300 Bedded Super Speciality Hospital, GGH, Kadapa, while working as DM&HO, Nellore Dist., has violated the orders issued by the Higher Authorities and issued deputation/work arrangement orders to certain Doctors/Pharmacists/ Senior Assistants/MPHA(M) without any permission from DPH&FW/Government in spite of several instructions issued by the DPH&FW AP vide Rc.No.3555/E3D/2022, dt.08.04.2022, 13.04.2022, 16.05.2022, 30.09.2022, and 16.11.2024.

ARTICLE OF CHARGE – IV

That, Dr. M. Penchalaiah, CS(GL), CSRMO, 300 Bedded Super Specialty Hospital, GGH, Kadapa, while working as DM&HO, Nellore Dist., failed to ensure that Dr D. Vamsi Krishna Suman is enrolled under FRS attendance, which has resulted in irregular drawal of huge amount ie., Rs.24,62,714/- by Dr. D. Vamsi Krishna Suman, Medical Officer/DDO, PHC, Krishnapuram, Nellore District without attending the duties at PHC as he joined PG (Paediatrics) in Narayana Medical College, Nellore.

Thus, Dr M. Penchalaiah, CS(GL), CSRMO, 300 Bedded Super Specialty Hospital, GGH, Kadapa, while working as DM&HO, Nellore Dist., has failed in discharging his legitimate duties and the above act show his dereliction of duties which attracts violation of Rule-3 (1) of A.P. Civil Services (Conduct) Rules 1964.

DR. MANJULA D HOSMANI
SECRETARY TO GOVERNMENT

SECTION OFFICER

(contd…)

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF ARTICLES OF CHARGES FRAMED AGAINST DR.M. PENCHALAIAH, CS(GL), CSRMO, 300 BEDDED SUPER SPECIALITY HOSPITAL, KADAPA, THE THEN DM&HO, SPSR NELLORE DISTRICT:

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Basis for Charge I

It is noticed that as per the enquiry report submitted by Dr.Y.Kameshwar Prasad, that Dr. Vamsi Krishna Suman, CAS, PHC, Krishnapuram, Nellore District got admission in PG(Paediatrics) at Narayana Medical College, Nellore and joined on 05.05.2022 and drawn salary from 05-05-2022 to 30-09-2024 at PHC for an amount of Rs.24,62,714/- irregularly without attend for duties as Medical Officer, PHC, Krishnapuram during which period he was pursuing his PG course in Narayana Medical College, Nellore. As per the Letter, dated 18.02.2025 of the Principal, Narayana Medical College, Nellore, Dr. Vamsi Krishna Suman has got admission into MD (Pediatrics) course under Management Quota which comes under Non-Service Quota and0 joined on 05.05.2022 at Narayana Medical College, Nellore and underwent final examination in January 2025 and he is likely to complete his course on 04.05.2025 and he has been paid stipend Rs.30,000/- per month during this period.

Being controlling and supervising authority for all the staff working in PHCs including the Medical Officers in the District, Dr. M.Penchalaiah, miserably failed in noticing the unauthorized absence of Dr. Vamsi Krishna Suman for such a long period i.e from 05.05.2022 to September, 2024, and failed to inform the higher authorities. As a result the above said Medical Officer has drawn his salary at PHC, Krishnapuram irregularly from 05.05.2022 to 30.09.2024 (31 months) without attending/ performing duties at PHC and perusing his PG course at Narayana Medical College, Nellore simultaneously.

This shows that Dr. M. Penchalaiah knowingly kept quiet conniving with Dr. Vamsi Krishna Suman, since during this period Dr. M.Penchalaiah in the capacity of District Level Officer conducted 7 meetings with the PHC Medical Officers and also as District authority for supervising various programmes and Family Physician Programme in the district, he have interacted with the Medical Officers/ DDOs under his control for many a time for review of implementation of the programmes in the district and also as per the letter submitted by the present DM&HO that during the 7 meetings conducted by Dr M. Penchalaiah the Dr. Vamsi Krishna Suman, Medical Officer/ DDO, PHC, Krishnapuram, Nellore District never attended and Dr. M.Penchalaiah never verified why he did not attend the meetings and also not brought this to the notice of higher authorities which shows that Dr. M Penchalaiah knows about the admission of Dr. Vamsi Krishna Suman, CAS, PHC, Krishnapuram, Nellore District in Narayana Medical College, Nellore and this clearly indicates his connivance with Dr. Vamsi Krishna Suman, which resulted in fraudulent drawal of such huge Govt. Money of Rs.24,62,714/- by Dr D. Vamsi Krishna Suman at PHC, Krishnapuram, Nellore District.

The details of meetings conducted by Dr. M. Penchalaiah with Medical Officers are as furnished hereunder:

S No	Meeting date	Whether Dr D. Vamsi Krishna Suman Attended the Meeting or Not
1.	11.05.2023	Not attended
2.	16.05.2023	Not attended
3.	08.06.2023	Not attended
4.	26.12.2023	Not attended
5.	03.02.2024	Not attended
6.	16.03.2024	Not attended
7.	26.07.2024	Not attended

(p.t.o)

Thus, Dr. M Penchalaiah has connived with Dr. Vamsi Krishna Suman, CAS, Medical Officer/ DDO, PHC, Krishnapuram, Nellore District in drawing pay and allowances of the Medical Officer irregularly for an amount of Rs.24,62,714/- although the Medial Officer did not attend for duties for the period from 05.05.2022 to 30.09.2024 as detailed below:

S.N.	Month	Year	Pay and Allowances drawn by the individual in Rs	Remarks
1	May 2022 to May 2023	2022 &2023	979000	Amount for the period of May 2022 toMay 2023)
2	June	2023	85000	
3	July	2023	85000	
4	August	2023	85000	
5	September	2023	85000	
6	October	2023	85000	
7	November	2023	85000	
8	December	2023	85000	
9	January	2024	85000	
10	February	2024	91807	
11	March	2024	85000	
12	April	2024	103357	Sanctioned regular pay scale from consolidated pay by DM&HO, Nellore
13	May	2024	103357	
14	June	2024	103357	
15	July	2024	105612	DA Increased from July 2024
16	August	2024	105612	
17	September	2024	105612	
		TOTAL	2462714	

Further, it is noticed as per the enquiry report submitted by Enquiry officer, Dr. M. Penchalaiah issued orders sanctioning regular pay scales to Dr D. Vamsi Krishna Suman vide Rc.No.880/E1/2024, Dated:19-03-2024 of DM&HO, Nellore inspite of the fact that the Medical Officer never attended any meetings conducted by him and Dr M. Penchalaiah did not verify and not informed to Higher authorities about the unauthorised absence of the Medical Officer which clearly shows that he knowingly kept silent and paved the way to the Medical Officer to draw his salary without attending the PHC which indicates his collusion with the Medical Officer.

That Dr. M. Penchalaiah wrote a letter to the Principal, Narayana Medical College, Nellore on 25.09.2024 requesting him to inform whether Dr D. Vamsi Krishna Suman joined in PG course or not. This shows that Dr. M. Penchalaiah wrote this letter with an intention to formulate some material to cover his connivance with Dr D. Vamsi Krishna Suman since the letter containing allegations on Dr. M. Penchalaiah received in O/o DPH&FW on 19.09.2024. The complaint copy was not received to Dr.M. Penchalaiah. Further, in his letter, Dt:25.09.2024 to DM&HO, Dr D. Vamsi Krishna Suman informed about his resignation due to personal reasons. Dr D. Vamsi Krishna Suman never mentioned that he had joined NMC for his PG Course.

However, Dr. M. Penchalaiah wrote to Narayana Medical College, Nellore vide letter, dt: 25.09.2024, enquiring about Dr. D. Vamsi Krishna Suman admission. This act shows that it was an afterthought by Dr. M. Penchalaiah to cover his connivance/role in the illegal drawl of salary by Dr D. Vamsi Krishna Suman.

Basis for Charge II

Dr. M. Penchalaiah issued orders sanctioning regular pay scales to Dr. D. Vamsi Krishna Suman, vide Rc.No.880/E1/2024, Dated:19-03-2024 of DM&HO, Nellore inspite of the fact that the Medical Officer was absent in several meetings conducted by him and did not verify and sanctioned regular pay scale which clearly shows that he knowingly kept silent and sanctioned regular pay scale to the above said Medical Officer, who did not attend duties at PHC, Krishanpuram from 05.05.2022 onwards .

(contd…)

Basis for Charge III

It is noticed that Dr. M. Penchalaiah, CS(GL)CSRMO, 300 Bedded Super Specialty Hospital, GGH, Kadapa, while working deputation/work arrangement orders to certain Doctors /Pharmacists/ Senior Assistants/ MPHA(M) in spite of several instructions issued by the Higher authorities not to give deputations and the details below:

The details are as follows.

SN	Name of Employee	Designation	Original place of posting	Place of deputation / Work arrangement
1	Dr VS B Pramod	Medical Officer	PHC Pokur	IDSP O/o ofDM&HO
2	Sri CH Ramakrishnayya	MPHA (M)	DTCO Office	DM&HO Office
3	Sri B Sai Ram Kishore —	MPHS (M)	PHC-Gridallauru	DM&HO Office
4	Dr G S Vinitha	Medical Officer	PHCKondapuram	PHC lskapalem
5	Dr. A.Bhavya Sri	Medical Officer	O/o DMHO, Nellore	PHC, Kondapur
6	Sri V Vijaya Chandra Paul	Pharmacist	PHC Kullru	DM&HO Stores
7	Dr S Sivappa	Medical Officer	PHC Pokur	PHC, Lingasamudram
8	Dr K AnuRadha	Medical Officer	PHC, Lingasamudram	PHC Kasmuru
9	Dr S K Masthan Babu	Medical Officer	PHC Tallapudi	PHC, Chakalaikonda
10	Dr.LSrujana	Medical Officer	PHC, Chakaakonda	PHC Tallapudi
11	Dr.ShaikMaskur Ahmed	Medical Officer	PHC, Krishnapuram	PHC, Marripadu
12	DrKiranRishitha	Medical Officer	no- located PHC Podalakur	PHC Chittalur
13	Dr V SreeKavya	Medical Officer	Co-located PHC Podalakur	PHC Chittalur
14	Sri Jaya Chandra	MPHA (M)	PHC Inamadugu	DM&HO Office

Basis for Charge IV

As per the information furnished by the District Medical and Health Officer, Nellore, Dr. D. Vamsi Krishna Suman was not enrolled in FRS attendance even though the FRS attendance made mandatory with effect from December, 2022. The DMHOs were instructed to ensure that all the employees were on FRS. However, Dr. M. Penchalaiah did not ensure that Dr. D. Vamsi Krishna Suman was giving attendance. This resulted in irregular drawal of salary by Dr. D. Vamsi Krishna Suman for the period from 05.05.2022 to 30.09.2024 although he did not attend for duties.

Thus he is liable for disciplinary action.

Dr. MANJULA D HOSMANI
SECRETARY TO GOVERNMENT

SECTION OFFICER

(p.t.o)

ANNEXURE- III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST DR.M. PENCHALAIAH, CS(GL), CSRMO, 300 BEDDED SUPER SPECIALITY HOSPITAL, KADAPA, THE THEN DM&HO, SPSR NELLORE DISTRICT:

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1.	Enquiry Report Rc.No. Spl/APSACS/2024, DT. 29.12.2024 received from Dr. Y. Kameswara Prasad, J.D.(BSD), APSACS, Tadepalli, Guntur District.
2.	Rc.No.3555/E3D/2022 dt 08.04.2022, 13.04.2022, 16.5.2022, 30.09.2022, and 16.11.2024 of the DPH&FW AP Vijayawada.
3.	Deputation orders Rc.No.2460/E1/2022, Dated:24.06.2022 of the DM&HO, SPSR Nellore District.
4.	Deputation orders Rc.No.Spl/E3/2022, Dated:04.10.2022 of the DM&HO, SPSR Nellore District.
5.	Deputation orders Rc.No.Spl/E3//DMHO/NLR/2023, Dated:22.09.2023 of the DM&HO, SPSR Nellore District.
6.	Deputation orders Rc.No.2186/E1/2023, Dated:02.12.2023 of the DM&HO, SPSR Nellore District.
7.	Deputation orders Rc.No.287/E3/2024, Dated:29.01.2024 of the DM&HO, SPSR Nellore District.
8.	Deputation orders Rc.No.1286/E1/2024, Dated:01.08.2024 of the DM&HO, SPSR Nellore District.
9.	Deputation orders Rc.No.2838/E2/2024, Dated:03.09.2024 of the DM&HO, SPSR Nellore District.
10.	Deputation orders Rc.No.1286/E1/2024, Dated:04.09.2024 of the DM&HO, SPSR Nellore District.
11.	Letter Rc.No.880/E1/2024, Dated:19.03.2024 of the DM&HO, SPSR Nellore
12.	Letter dt:18.10.2024 of the Principal, Narayana Medical College, Nellore
13.	Letter dt:18.02.2025 of the Principal, Narayana Medical College, Nellore
14.	Letter Rc. No. SPL/FRS/2025 , dt 19.02.2025 from DM&HO, Nellore

Dr. MANJULA D HOSMANI
SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE- IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST DR.M. PENCHALAIAH, CS(GL), CSRMO, 300 BEDDED SUPER SPECIALITY HOSPITAL, KADAPA, THE THEN DM&HO, SPSR NELLORE DISTRICT:

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-- Nil --

Dr. MANJULA D HOSMANI
SECRETARY TO GOVERNMENT

SECTION OFFICER